

# **EXHIBIT 1**

## CIRCUIT COURT FOR THE 20TH JUDICIAL CIRCUIT

State of Illinois )  
County of St. Clair ) S.S.

Case Number 13L 423

Amount Claimed \_\_\_\_\_

WARMA, WITTER, KREISLER, GREGOV &  
ASSOCIATES, INC. an Illinois corporations,  
individually and as the representative of a class of  
similarly-situated persons,

VS

PARK UNIVERSITY ENTERPRISES, INC. d/b/a  
FRED PRYOR SEMINARS and CAREERTRACK,  
and JOHN DOES 1-12,

Plaintiff(s)

Defendant(s)

Classification Prefix \_\_\_\_\_ Code \_\_\_\_\_ Nature of Action \_\_\_\_\_ Code \_\_\_\_\_

Pltf. Atty. Bock & Hatch, LLC Code \_\_\_\_\_  
Address 134 N. La Salle St., Ste. 1000  
City Chicago, IL 60602 Phone 312-658-5500  
Add. Pltf. Atty. Sprague & Urban Code \_\_\_\_\_

TO THE SHERIFF: SERVE THIS DEFENDANT AT:

NAME Park University Enterprises d/b/a Fred Pryor  
Seminars and Careertrack

ADDRESS c/o Dorla Watkins, Reg. Agent  
8700 River Park Dr.

CITY & STATE Parkville, MO 64152

## SUMMONS COPY

To the above named defendant(s). . . . .:

☐ A. You are hereby summoned and required to appear before this court at  
(court location) \_\_\_\_\_ at \_\_\_\_\_ M. On \_\_\_\_\_ 20\_\_\_\_  
to answer the complaint in this case, a copy of which is hereto attached. If you fail to do so, a judgment by default may  
be taken against you for the relief asked in the complaint.

☒ B. You are summoned and required to file an answer to the complaint in this case, a copy of which is hereto  
attached, or otherwise file your appearance, in the office of the clerk of this court within 30 days after service of this  
summons, exclusive of the day of service. If you fail to do so, judgment of decree by default may be taken against you  
for the relief prayed in the complaint.

## TO THE OFFICER:

This summons must be returned by the officer or other person to whom it was given for service, with  
indorsement thereon of service and fees if any, immediately after service. In the event that paragraph A of this  
summons is applicable this summons may not be served less than three days before the day of appearance. If service  
cannot be made, this summons shall be returned so indorsed.

This summons may not be served later than 30 days after its date.

WITNESS, 8-13 2013BY DEPUTY: Kathleen A. Clay  
Clerk of Court

DATE OF SERVICE: \_\_\_\_\_ 20\_\_\_\_

(To be inserted by officer on copy left with defendant or other person)

SEAL



Paper Type: **SUMMONS**

Service Type:

Issue Date: **08/13/2013**

Court Date:

Receive Date/Time:

Signature: **X**

Name: **PARK UNIVERSITY ENTER C/O DORLA WATK**

Address: **8700 RIVER PARK DR**

**PARKVILLE MO 64152**

Known To Frequent

Case No: **13L423**

Foreign: ☐

SPECIAL SERVICE:

DATE	MILES	SERVICE	UNIT

9-13

Comments:

## SHERIFF'S RETURN OF SERVICE

COUNTY OF PLATTE

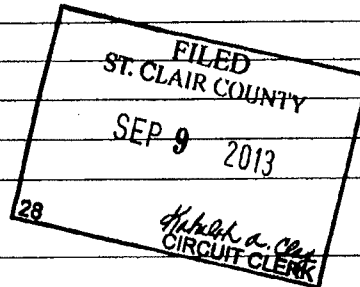
CASE # 13L423

STATE OF MISSOURI

1) By delivering on the 28<sup>th</sup> day of August, 2013 a copy of the application/petition to the within named respondent/defendant Park University Ent. C/O Dora Watkins at the following location: 8700 River Park Dr. Parkville, Mo. at 1539 hours.

2) By leaving on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, for the within named respondent/defendant \_\_\_\_\_ of a copy of the application/petition and the order/summons at the respective dwelling place or usual place abode of said respondent / defendant with some person of his or her family over the age of 15 years \_\_\_\_\_, known to the respondent/defendant as \_\_\_\_\_ at the following location: \_\_\_\_\_ at \_\_\_\_\_ hours.

3) By making a proper and diligent search for and failing to find the within named respondent/defendant \_\_\_\_\_ at \_\_\_\_\_ for the reason that \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 at \_\_\_\_\_ hours.



4) By summoning as garnishee \_\_\_\_\_ at \_\_\_\_\_ by serving a copy of the execution and a copy of the summons to garnishee, on \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 at \_\_\_\_\_ hours.

5) By \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 at \_\_\_\_\_ hours.

All done in my county of Platte, State of Missouri

Fee: \$ 30.00  
 Mileage: \$ 21.28  
 Postage: \$ \_\_\_\_\_  
 TOTAL DUE: \$ \_\_\_\_\_

MARK S. OWEN, Sheriff  
 Platte County, Missouri

By: [Signature] A# 433  
 Deputy Sheriff

RTN02 (01/07/11)

CIRCUIT COURT OF THE 20TH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

WARMA, WITTER, KREISLER, GREGOV & )  
ASSOCIATES, INC., an Illinois corporation, )  
individually and as the representative of a )  
class of similarly-situated persons, )

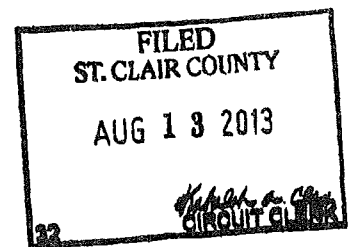
Plaintiff, )

v. )

PARK UNIVERSITY ENTERPRISES, INC. )  
d/b/a FRED PRYOR SEMINARS and )  
CAREERTRACK, and JOHN DOES 1-12, )

Defendants. )

No. 13L423



CLASS ACTION COMPLAINT

Plaintiff, WARMA, WITTER, KREISLER, GREGOV & ASSOCIATES, INC. ("Plaintiff"), brings this action on behalf of itself and all other persons similarly situated, through its attorneys, and except as to those allegations pertaining to Plaintiff or its attorneys, which allegations are based upon personal knowledge, alleges the following upon information and belief against Defendants, PARK UNIVERSITY ENTERPRISES, INC. d/b/a FRED PRYOR SEMINARS and CAREERTRACK ("Park University"), and JOHN DOES 1-12 collectively ("Defendants"):

PRELIMINARY STATEMENT

1. This case challenges Defendants' practice of faxing unsolicited advertisements.

2. The federal Telephone Consumer Protection Act, 47 USC § 227 (the "TCPA"), prohibits a person or entity from faxing or having an agent fax advertisements without the recipient's prior express invitation or permission ("junk faxes" or "unsolicited faxes"). Moreover, the TCPA mandates that if a person or entity sends a fax advertisement it must always include a very specific opt-out notice that is clearly and conspicuously included on the first page of the advertisement. *See* 47 U.S.C. § 227 (b) (2) (D); and 47 C.F.R. § 64.1200 (a) (4) (iii). The TCPA provides a private right of action and provides statutory damages of \$500 - \$1,500 per violation.

3. Unsolicited faxes damage their recipients. A junk fax recipient loses the use of its fax machine, paper, and ink toner. An unsolicited fax wastes the recipient's valuable time that would have been spent on something else. A junk fax interrupts the recipient's privacy. Unsolicited faxes prevent fax machines from receiving authorized faxes, prevent their use for authorized outgoing faxes, cause undue wear and tear on the recipients' fax machines, and require additional labor to attempt to discern the source and purpose of the unsolicited message.

4. On behalf of itself and all others similarly situated, Plaintiff brings this case as a class action asserting claims against Defendants under the TCPA, the common law of conversion, and the Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/2 ("ICFA").

5. Plaintiff seeks an award of statutory damages for each violation of the TCPA.

### PARTIES, JURISDICTION AND VENUE

6. Plaintiff is an Illinois corporation with its principal place of business in St. Clair County, Illinois.

7. Defendant Park University is a Missouri corporation with its principal place of business in Mission, Johnson County, Kansas.

8. Plaintiff included Defendants John Does 1-12 as it is not clear whether any entities or persons other than Park University actively participated in the transmission of the subject fax advertisements, or benefitted from the transmissions.

9. Jurisdiction is conferred by 735 ILCS 5/2-209 in that Defendants have transacted business and committed tortious acts related to the matters complained of herein in Illinois.

10. Venue is proper in St. Clair County pursuant to 735 ILCS 5/2-101, et seq. because some of the tortious acts complained of occurred in St. Clair County, Illinois.

### FACTS

11. Between February 13, 2013 and April 11, 2013, Defendants sent, or caused to be sent, eleven (11) unsolicited fax advertisements to Plaintiff. Exhibit A, a copy of the eleven subject fax advertisements. All eleven faxes advertise Defendants' goods, products, or services. Id.

12. Plaintiff did not invite or give permission, to anyone, to send the faxes contained in Exhibit A to it.

13. Further, the faxes contained in Exhibit A do not contain clear and conspicuous opt-out notices. Instead, Defendants included opt-out notices in tiny fonts at the very bottoms of the pages. Defendant's attempt to offset the opt-out notices by enclosing them in boxes is negated by the other sections of the faxes that are offset from the rest of the text in larger boxes.

14. On the faces of the subject faxes, it is not understood whether the telephone and facsimile numbers identified in the notices were available to Plaintiff to make and opt-out request 24 hours a day, 7 days a week.

15. On information and belief, Defendants sent the same facsimiles to Plaintiff and more than 39 other recipients without first receiving the recipients' express permission or invitation. This is based, in part, on the fact that Plaintiff never gave permission to anyone to send the subject fax advertisement to it, and that sending advertisements by fax is a very cheap way to reach a wide audience.

16. There is no reasonable means for Plaintiff (or any other putative Class member) to avoid receiving illegal faxes. Fax machines are left on and ready to receive the urgent communications their owners desire to receive.

#### **CLASS REPRESENTATION ALLEGATIONS**

17. This action has been brought, and may be properly maintained, under 735 ILCS 5/2-801. This action satisfies the class action prerequisites of numerosity, common questions of law or fact predominate over individual questions, the representative parties will fairly and adequately protect the interests of the Class,



and the class action is an appropriate method for the fair and efficient adjudication of the controversy.

18. Plaintiff brings this action as a class action on behalf of itself and all others similarly situated as members of the Class, initially defined as follows:

All persons who were sent one or more telephone facsimile messages on or after four years prior to the filing of this action, that advertised the commercial availability of property, goods, or services offered by Park University Enterprises, Inc., Fred Pryor Seminars, or Careertrack, that did not contain an opt-out notice that complied with federal law.

19. Excluded from the Class are Defendants, any entity in which Defendants have a controlling interest, any officers or directors of Defendants, the legal representatives, heirs, successors, and assigns of Defendants, and any Judge assigned to this action, and his or her family.

20. Numerosity/Impracticability of Joinder: On information and belief, the Class consists of more than thirty-nine people and, thus, is so numerous that joinder of all members is impracticable. The precise number of Class members and their addresses are unknown to Plaintiff, but can be obtained from Defendants' records or the records of third parties.

21. Questions of Law or Fact Common to the Class: There is a well-defined community of interest and common questions of law and fact that predominate over any questions affecting only individual members of the Class. These common legal and factual questions, which do not vary from one Class member to another, and which may be determined without reference to the

individual circumstances of any Class member, include, but are not limited to the following:

- a. Whether Defendants sent unsolicited fax advertisements;
- b. Whether the faxes contained in Exhibit A advertised the commercial availability of property, goods or services;
- c. The manner and method Defendants used to compile or obtain the list of fax numbers to which it sent Exhibit A and other unsolicited fax advertisements;
- d. Whether Defendants faxed advertisements without first obtaining the recipients' express permission or invitation;
- e. Whether Defendants' opt out notices, violated the TCPA;
- f. Whether Defendants' opt-out notices were clear and conspicuous;
- g. Whether Defendants' opt-out notices contained telephone and facsimile numbers that were available to Plaintiff and the other Class members 24 hours a day, 7 days a week;
- h. Whether Plaintiff and the other Class members are entitled to statutory damages;
- i. Whether Defendants should be enjoined from faxing advertisements in the future;
- j. Whether the Court should award trebled damages;

- k. Whether Defendants' conduct as alleged herein constituted conversion;
- l. Whether Defendants' conduct was unfair under ICFA; and
- m. Whether Defendants' conduct as alleged herein constituted a violation of the Illinois Consumer Fraud and Deceptive Business Practices Act.

22. Fair and Adequate Representation: Plaintiff will fairly and adequately protect the interests of the Class. Plaintiff does not have any interests adverse to the Class. Plaintiff has retained counsel who are experienced in class action litigation to represent it in this action.

23. Appropriateness: A class action is an appropriate method for the fair and efficient resolution of this controversy.

24. Plaintiff envisions no difficulty in the management of this action as a class action.

**COUNT I**  
**TELEPHONE CONSUMER PROTECTION ACT, 47 U.S.C. § 227**

25. Plaintiff incorporates the preceding paragraphs as though fully set forth herein.

26. Plaintiff brings Count I on behalf of itself and a class of similarly situated persons.

27. The TCPA prohibits the "use of any telephone facsimile machine, computer or other device to send an unsolicited advertisement to a telephone facsimile machine...." 47 U.S.C. § 227 (b) (1).

28. The TCPA defines "unsolicited advertisement," as "any material advertising the commercial availability or quality of any property, goods, or services which is transmitted to any person without that person's express invitation or permission." 47 U.S.C. § 227 (a) (4).

29. The TCPA provides:

3. Private right of action. A person may, if otherwise permitted by the laws or rules of court of a state, bring in an appropriate court of that state:

(A) An action based on a violation of this subsection or the regulations prescribed under this subsection to enjoin such violation,

(B) An action to recover for actual monetary loss from such a violation, or to receive \$500 in damages for each such violation, whichever is greater, or

(C) Both such actions.

30. The Court, in its discretion, can treble the statutory damages if the violation was knowing. 47 U.S.C. § 227.

31. In relevant part, the TCPA states that "[t]he Commission shall prescribe regulations to implement the requirements of this subsection . . . in implementing the requirements of this subsection, the Commission shall provide that a notice contained in an unsolicited advertisement complies with the requirements under this subparagraph only if . . . (i) the notice is clear and conspicuous . . ." 47 U.S.C. § 227 (b) (2) (D) (i).

32. Moreover, "a notice contained in an unsolicited advertisement complies with the requirements under this subparagraph only if . . . (v) the telephone and

facsimile machine numbers and the cost-free mechanism . . . permit an individual or business to make such a request at any time on any day of the week.” 47 U.S.C. § 227 (b) (2) (D) (v).

33. Defendants violated 47 U.S.C. § 227 et seq. by sending advertisements by fax (such as Exhibit A) to Plaintiff and the other Class members without first obtaining their prior express invitation or permission.

34. Defendants violated 47 U.S.C. § 227 et seq. by not providing clear and conspicuous opt-out notices. The notices that Defendants did include are in tiny font at the very bottoms of the pages, and do not contain an effective method to direct the recipients attention. Exhibit A. Where Defendants did utilize such a method, such as enclosing the opt-out notice in a box, any effect was negated because Defendants’ own information was enclosed in much larger boxes. Id. Additionally, it is not clear whether Defendants provided telephone and facsimile numbers that allowed Plaintiff and the Class members to make an opt-out request at any time on any day of the week.

35. Facsimile advertising imposes burdens on unwilling recipients that are distinct from the burden imposed by other types of advertising. The content of the required opt-out notice is designed to ensure that the recipients have the necessary contact information to opt-out of future fax transmissions. If senders do not clearly and conspicuously provide the opt-out content to the recipients, then the senders fail to enable the recipients with the appropriate information to stop the burden imposed by this form of advertisement.

36. The TCPA is a strict liability statute and Defendants are liable to Plaintiff and the other Class members even if their actions were negligent.

37. Moreover, Defendants are liable to Plaintiff and the other Class members under the TCPA for including improper opt-out notices even if Defendants ultimately prove that they obtained prior express permission to send the advertisements by fax or prove that Defendants had an established business relationship with Plaintiff and the other Class members.

38. Defendants knew or should have known that Plaintiff and the other Class members had not given express invitation or permission for Defendants or anybody else to fax advertisements about Defendants' goods, products, or services, that Plaintiff and the other Class members did not have an established business relationship with Defendants, and that the faxes contained in Exhibit A are advertisements.

39. Defendants' actions caused damages to Plaintiff and the other Class members. Receiving Defendants' junk faxes caused the recipients to lose paper and toner consumed in the printing of Defendants' faxes. Moreover, the subject faxes used Plaintiff's and the Class's fax machines. The subject faxes cost Plaintiff time, as Plaintiff and its employees wasted their time receiving, reviewing and routing Defendants' illegal faxes. That time otherwise would have been spent on Plaintiff's business activities. Defendants' faxes unlawfully interrupted Plaintiff's and the other class members' privacy interests in being left alone. Finally, the injury and

property damage sustained by Plaintiff and the other Class members from the sending of the faxes contained in Exhibit A occurred outside Defendants' premises.

40. Even if Defendants did not intend to cause damage to Plaintiff and the other Class members, did not intend to violate their privacy, and did not intend to waste the recipients' valuable time with Defendants' advertisements, those facts are irrelevant because the TCPA is a strict liability statute.

WHEREFORE, Plaintiff, individually and on behalf of all others similarly situated, demands judgment in its favor and against Defendants, jointly and severally as follows:

A. That the Court adjudge and decree that the present case may be properly maintained as a class action, appoint Plaintiff as the representative of the class, and appoint Plaintiff's counsel as counsel for the class;

B. That the Court award \$500.00-\$1,500.00 in damages for each violation of the TCPA;

C. That the Court enter an injunction prohibiting Defendants from engaging in the statutory violations at issue in this action; and

D. That the Court award costs and such further relief as the Court may deem just and proper.

## COUNT II CONVERSION

41. Plaintiff incorporates paragraphs 1 through 24 as though fully set forth herein.

42. Plaintiff brings Count II on behalf of itself and a class of similarly situated persons.

43. By sending Plaintiff and the other Class members unsolicited faxes, Defendants improperly and unlawfully converted their fax machines, toner and paper to their own use. Defendants also converted Plaintiff's employees' time to their own use.

44. Immediately prior to the sending of the unsolicited faxes, Plaintiff and the other Class members owned an unqualified and immediate right to possession of their fax machines, paper, toner, and employee time.

45. By sending the unsolicited faxes, Defendants permanently misappropriated the Class members' fax machines, toner, paper, and employee time to their own use. Such misappropriation was wrongful and without authorization.

46. Defendants knew or should have known that their misappropriation of paper, toner, and employee time was wrongful and without authorization.

47. Plaintiff and the other Class members were deprived of the use of the fax machines, paper, toner, and employee time, which could no longer be used for any other purpose. Plaintiff and each Class member thereby suffered damages as a result of their receipt of unsolicited fax advertisements from Defendants.

48. Each of Defendants' unsolicited faxes effectively stole Plaintiff's employees' time because persons employed by Plaintiff were involved in receiving, routing, and reviewing Defendants' illegal faxes. Defendants knew or should have known employees' time is valuable to Plaintiff.



WHEREFORE, Plaintiff, individually and on behalf of all others similarly situated, demands judgment in its favor and against Defendants, jointly and severally as follows:

- A. That the Court adjudge and decree that the present case may be properly maintained as a class action, appoint Plaintiff as the representative of the class, and appoint Plaintiff counsel as counsel for the class;
- B. That the Court award appropriate damages;
- C. That the Court award costs of suit; and
- D. Awarding such further relief as the Court may deem just and proper.

**COUNT III**  
**ILLINOIS CONSUMER FRAUD AND DECEPTIVE BUSINESS PRACTICES ACT**  
**815 ILCS 505/2**

49. Plaintiff incorporates paragraphs 1 through 24 as though fully set forth herein.

50. Plaintiff brings Count III on behalf of itself and a class of similarly situated persons.

51. Defendants' unsolicited fax practice is an unfair practice because it violates public policy, and because it forced Plaintiff and the other class members to incur expense without any consideration in return. Defendants' practice effectively forced Plaintiff and the other class members to pay for Defendants' advertising campaign.

52. Defendants violated the unfairness predicate of the Act by engaging in an unscrupulous business practice and by violating Illinois statutory public policy,

which public policy violations in the aggregate caused substantial injury to hundreds of persons.

53. Defendants' misconduct caused damages to Plaintiff and the other members of the class, including the loss of paper, toner, ink, use of their facsimile machines, and use of their employees' time.

54. Defendants' actions caused damages to Plaintiff and the other class members because their receipt of Defendants' unsolicited fax advertisements caused them to lose paper and toner consumed as a result. Defendants' actions prevented Plaintiff's fax machine from being used for Plaintiff's business purposes during the time Defendants were using Plaintiff's fax machine for Defendants' illegal purpose. Defendants' actions also cost Plaintiff employee time, as Plaintiff's employees used their time receiving, routing, and reviewing Defendants' illegal faxes and that time otherwise would have been spent on Plaintiff's business activities.

WHEREFORE, Plaintiff, individually and on behalf of all others similarly situated, demands judgment in its favor and against Defendants, as follows:

- A. That the Court adjudge and decree that the present case may be properly maintained as a class action, appoint Plaintiff as the class representative, and appoint Plaintiff's counsel as counsel for the class;
- B. That the Court award damages to Plaintiff and the other class members;
- C. That the Court award attorneys' fees and costs; and

D. That the Court enter an injunction prohibiting Defendants from sending unsolicited faxed advertisements to Illinois consumers.

Respectfully submitted,

WARMA, WITTER, KREISLER,  
GREGOV & ASSOCIATES, INC., an  
Illinois corporation, individually and  
as the representative of a class of  
similarly-situated persons,

By: 

One of its attorneys

Phillip A. Bock  
James M. Smith  
Phillip J. Bullimore  
BOCK & HATCH, LLC  
134 North La Salle Street, Suite 1000  
Chicago, IL 60602  
Telephone: 312/658-5500

Robert J. Sprague  
Sprague & Urban  
26 E. Washington St.  
Belleville, IL 62220  
Telephone: 618/233-8383

# EXHIBIT A

04-11-2013 8:08

913-967-8849

0 1/1

A One-Day Seminar

**Please Deliver to:**

WARMA WITTER KREISLER  
GREGORY  
SHARON CASTILLO  
MANAGER  
6186325095  
VIP# 60 003 059 897 60

ID#  
597369

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Event #139646  
Crowne Plaza Hotel Downtown  
200 North 4th Street

Springfield, IL - May 10  
Event #139647  
Hilton Garden Inn  
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One day, 9 a.m. to 4 p.m.

**\$249**

(includes course book)

### Group Discount:

\$229 per person for groups  
of 3 or more

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You have received this announcement because your organization is a valued customer of Fred Pryor Seminars or Career Track (subsidiaries of PRIMA UNIVERSITY ENTERPRISES, INC.). If you do not want to receive fax offers, simply call toll-free 1-877-500-1044 and provide the fax number you wish to remove or check the box to the left and fax this page to 1-800-905-8440. We will remove the provided fax number within 48 hours. (According to FCC regulations, our failure to comply within 30 days is unlawful.)

04-05-2013 9:09

913-967-8849

D 1/1

A One-Day Seminar

**Please Deliver to:**

WARMA WITTER KREISLER  
GREGORY  
SHARON CASTILLO  
MANAGER  
6186325095  
VIP# 60 003 059 897 60

ID#  
597864

### COMING TO YOUR AREA:

Visit [www.careertrack.com](http://www.careertrack.com) for a full schedule.

St. Louis, MO - May 3  
Event #139864  
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200 North 4th Street

One day, 9 a.m. to 4 p.m.

**\$195**

(includes course book)

#### Group Discount:

\$185 per person for groups  
of 5 or more

*Presented by:*

**FRED PRYOR SEMINARS CAREERTRACK**

Divisions of PARK University Enterprises, Inc.

P.O. Box 219488  
Kansas City, MO 64121-9488  
1-800-897-5003

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2 top-rated trainers at this essential conference!

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- Effective communication
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- How to motivate employees
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► Or to enroll by phone, call 1-800-897-5003

\*For quick enrollment, be sure to have your VIP# and Circle ID# ready when registering



You have received this announcement because your organization is a valued customer of Fred Pryor Seminars or CareerTrack (divisions of PARK University Enterprises, Inc.). If you do not want to receive fax offers, simply call toll-free 1-877-500-1044 and provide the fax number you wish to remove or check the box to the left and fax this page to 1-800-905-8440. We will remove the provided fax number within 48 hours. (According to FCC regulations, our failure to comply within 30 days is unlawful.)



04-01-2013 8:12

913-967-8849

1/1

A One-Day Seminar

**Please Deliver to:**

WARMA WITTER KREISLER  
GREGORY  
SHARON CASTILLO  
MANAGER  
6186325095  
VIP# 60 003 059 897 60

ID#  
597815

## COMING TO YOUR AREA:

Visit [www.pryor.com](http://www.pryor.com) for a full schedule

St. Louis, MO - Apr. 29

Event #139675  
Hilton St. Louis At The Ballpark  
One South Broadway

Effingham, IL - May 31

Event #139682  
Thelma Ketter Convention Center Hotel  
1301 Avenue Of Mid-America

One day, 9 a.m. to 4 p.m.

**\$149**

(includes course book)

Group Discount:

\$139 per person for groups  
of 5 or more

Presented by:

**FRED PRYOR SEMINARS CAREERTRACK**

Address of PARK University Enterprises, Inc.  
P.O. Box 219468  
Kansas City, MO 64121-9468  
1-800-897-5003

# BASIC SUPERVISION

## Required skills every supervisor must have

### What is your role?

As a supervisor, you're the one in charge, but you know all too well that your job description doesn't even begin to cover the many roles you actually fill. In today's world, supervisors and their teams have more complex relationships than ever before. A supervisor must be a friend, coach, boss and mediator.

### You're responsible for:

- Organizing people, projects and schedules
  - Delegating, motivating and praising
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  - Training new employees
- ... Again and again, day after day!

*How to Supervise People* is a one-day seminar power-packed with solid skills to help you maximize your role as a supervisor and gain fresh ideas to motivate your team.

### You'll learn how to ...

- Slash employee turnover costs by using the best hiring techniques.
- Unify employees into a smooth-running and productive team, despite differences in personality, background and age.
- Find the balance necessary to effectively supervise friends and former peers.
- Establish supervisor-subordinate relationship boundaries that will be respected.
- Identify difficult employees and handle them easily, appropriately and swiftly.
- Originate project plans and set goals your team will support.
- Control absenteeism and tardiness.
- Develop a keen sense of timing for taking corrective action or firing an employee — and know the legal implications of your decisions.

**100% Satisfaction Guarantee!**

### ► Enroll today at [www.pryor.com](http://www.pryor.com)

Enter your ZIP Code:  or Event #:  in the "Find a Seminar" blue bar on [www.pryor.com](http://www.pryor.com)!

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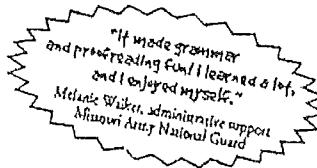
A One-Day Seminar

# Mistake-free Grammar & Proofreading

*Mistake-Free Grammar & Proofreading* is nothing like the grammar classes you took in school. This workshop is exciting, engaging and truly effective in refreshing you on the basics of business English.

In one fast-moving day, you'll learn:

1. The grammar rules every professional must know
2. All about capitalization and punctuation
3. Painless proofreading
4. Techniques for finding errors in numbers, prices, codes, dates, etc.
5. 6 key rules for subject-verb agreement
6. Commonly misused words and how to use them correctly
7. The right way to present numbers



## A fast, fun way to learn some serious skills

*Mistake-Free Grammar & Proofreading* is designed according to the latest research on how adults learn. It's fast-moving, so you stay interested. It's engaging, so you learn by doing. And it's fun, so you happily give it your all.

## Who should attend?

People who want their written communication to be letter-perfect. It's ideal for managers, secretaries, technical writers, editors and proofreaders who:

- Have never received training in these core skills
- Have been out of school for a while and need to brush up

It's also a great learning experience for anyone who uses English as a second language.

## You'll get it all in one day

By the end of the day, you'll see measured improvement and you'll learn in such a way that you'll never forget it!

100% Satisfaction Guaranteed!

► **Enroll today at [www.careertrack.com](http://www.careertrack.com)**

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Get a firm grip on grammar rules,  
learn to proofread with perfection -  
and enjoy yourself in the process

## COMING TO YOUR AREA:

Visit [www.careertrack.com](http://www.careertrack.com) for a full schedule.

St. Louis, MO - Apr. 22

Event #137886

Crowne Plaza Hotel Downtown  
200 North 4th Street

One day, 9 a.m. to 4 p.m.

**\$149**

(includes course book)

Group Discount:

\$139 per person for groups  
of 5 or more

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Kansas City, MO 64121-9468

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03-18-2013 8:26

913-967-8849

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# THE ULTIMATE SUPERVISOR

A One-Day Seminar

Bring out the best in your employees

You're on the spot, every day. You have to make sure that:

- The work gets done
- Costs are controlled
- Employees work as a team
- Upper management is satisfied

Clearly, you have a tough job. That's why you won't want to miss this seminar. You'll learn new ways to:

Keep your team productive

- Keep your people focused on high-payoff priorities
- Build a team that gets things done
- Reward your staff in ways that truly motivate

Be a supportive coach

- Delegate projects based on employees' strengths and weaknesses
- Learn how to pinpoint your own behavioral style, identify your employees' styles and use this information to build better workplace relationships and improve performance
- Understand the benefits of team-building vs. traditional supervision

Correct poor performance

- Learn the psychology of motivating people
- Correct negative behavior gently for long-term change
- Use one-on-one coaching to strengthen weak spots
- Determine whether coaching, counseling or discipline is the best approach

It's time to bring out the best in your employees

Help them grow — they'll contribute at a higher level and feel better about themselves. You'll all enjoy your workplace more, find greater satisfaction in working together and get more done!

100% Satisfaction Guarantee!

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MANAGER  
6186325095  
VIP# 60 003 059 897 60

ID#  
597153

## COMING TO YOUR AREA:

Visit [www.careertrack.com](http://www.careertrack.com) for a full schedule.

St. Louis, MO - Apr. 15

Event #138245  
Hilton St. Louis At The Ballpark  
One South Broadway

St. Charles, MO - Apr. 16

Event #138246  
St. Charles Convention Center  
One Convention Center Plz

Effingham, IL - Apr. 23

Event #138250  
Thelma Keller Convention Center Hotel  
1301 Avenue Of Mid-america

One day, 9 a.m. to 4 p.m.

**\$149**

(includes course book)

Group Discount:

\$139 per person for groups  
of 5 or more

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VIP# 60 003 059 897 60

ID#  
596692

A Two-Day Seminar

# How to COMMUNICATE with Tact and Professionalism

**Avoid misleading verbal and visual cues that interfere with clear, concise communication**

Ever wish you could ...

- Tailor your message to achieve complete buy-in on your ideas?
- Disarm others' "hot buttons" and put people at ease, even in the heat of an argument?
- Maintain your composure even when someone is right in your face?
- Win arguments without losing friends?
- Decode body language to understand what people are really saying?
- Improve your nonverbal skills for added emphasis?
- Deliver razor-sharp instructions to get things done — without coming off like an annoying perfectionist?
- Become so persuasive your requests are rarely denied?

**Anyone who wants to succeed can acquire these skills.**

Experts now agree those who climb the corporate ladder fastest are the ones who can relate easily to everyone, present their ideas with conviction and emerge from almost every personal interaction on a high note.

**Practice makes perfect.**

This course includes dozens of interactive exercises designed to drive home the skills you learn. Not only will you discover new ways to improve your interpersonal communication skills, you'll also have the time to practice and apply these skills in real life situations. You won't just *know* more after attending this workshop — you'll be a *better communicator*.

Look around you. The true leaders in your organization are the people who share a particular skill: the ability to communicate effectively. Coincidence? Hardly!

**After 2 days of coaching, practice and critiquing, you'll emerge a far more powerful communicator.**

We'll demonstrate and drive home the essential skills you need to become a more polished, persuasive communicator. You'll gain insights into everything from making a good impression to motivating people to intervening in tense situations.

*This training will be fast-paced, full of variety and information-packed — reserve your spot today!*

**100% Satisfaction Guarantee!**

► **Enroll today at [www.careertrack.com](http://www.careertrack.com)**

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## COMING TO YOUR AREA:

Visit [www.careertrack.com](http://www.careertrack.com) for a full schedule

**St. Louis, MO - Apr. 25-26**  
Event #137981  
Crowne Plaza Hotel Downtown  
200 North 4th Street

**St. Charles, MO - Apr. 10-11**  
Event #138208  
St. Charles Convention Center  
One Convention Center Plz

Two days, 9 a.m. to 4 p.m.

**\$299**

(includes course book)

**Group Discount:**

\$279 per person for groups  
of 3 or more

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03-12-2013 8:17

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A One-Day Seminar

Covers Excel versions 2007 and 2010

Go beyond Excel basics and expand your knowledge  
of this powerful program in just one-day of in-depth, focused training!

# Advanced Microsoft® Excel®

Unleash the power of Excel's most complex capabilities  
and take the fear out of Macros, PivotTables and more!

If you're comfortable building a worksheet, using cells, entering data and creating basic formulas, this program will take you to the next level of Excel expertise. Drill down through Excel's complex capabilities and discover how easily you can expand your knowledge base to become a more capable, confident user.

This course is jam-packed with skills, tools and strategies that build on what you already know, focusing on the advanced techniques that will take your skills to the next level. You'll get practical, real-world answers to your toughest Excel questions and challenges, and come away from this course ready and able to put your new skills to work the very next day.

- Gain a more in-depth knowledge of Excel's ribbon, menus and functions, including how to add your own tabs and groups
- Discover time-saving techniques to streamline data queries, data analysis and searches
- Utilize the Analysis ToolPak add-in for advanced data analysis
- Slash the time it takes to build your worksheets with power tips and shortcuts
- Get the most out of macros to easily automate repetitive tasks
- Use Excel's robust collaboration tools to share data across teams and workgroups
- Create, manage and modify PivotTables® with ease to produce sophisticated reports and data analysis
- Take your charts, graphs, tables and reports to the next level with eye-catching graphics and other design elements that will wow your audience
- Integrate Excel with the Internet and your company's Intranet with tools and techniques that allow you to create Internet-compatible workbooks, spreadsheets, charts and other documents
- And much, much more! Become an Excel Pro — enroll today!

**100% Satisfaction Guarantee!**

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ID#  
596791

## COMING TO YOUR AREA:

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**St. Louis, MO - Apr. 19**

Event #138226  
Crowne Plaza Hotel Downtown  
200 North 4th Street

**Effingham, IL - Apr. 10**

Event #138232  
Thelma Keller Convention Center Hotel  
1301 Avenue Of Mid-america

**Springfield, IL - Apr. 9**

Event #138231  
Hilton Garden Inn  
3100 South Dirksen Pkwy.

One day, 9 a.m. to 4 p.m.

**\$149**

(includes course book)

**Group Discount:**

\$139 per person for groups  
of 5 or more

Presented by:

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VIP# 60 003 059 897 60

ID#  
596882

A One-Day Seminar

# HUMAN RESOURCES

## *for Anyone with Newly Assigned HR Responsibilities*

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 A crash course covering key issues, basic laws and best practices
 

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New to HR? Recently been asked to take on greater HR responsibilities?

When it comes to Human Resources, you've got to know your stuff.

Your organization and its employees are depending on you to provide accurate information, advice and answers on everything from government regulatory issues and benefits administration to the finer points of the employee handbook.

You've also got to be current on all the latest HR legal issues, be available as a knowledgeable resource for employees, be able to mediate internal conflicts and disputes and be prepared to hire and fire personnel as necessary.

You've got your work cut out for you, but we can help! For anyone who's new to HR or recently taken on HR commitments as part of their job, this training is an essential "crash course" in the basics!

*Build skills, confidence and know-how in just one information-packed, fast-paced day!*

This course will swiftly get you up to speed on all aspects of HR — from legal and compliance issues to hiring and firing, benefits administration, records keeping/retention and more! Course content includes:

- An HR legal primer on FLSA, EEO, FMLA, ADA and more
- Benefits basics including workers' comp, COBRA and exempt vs. non-exempt
- Record Keeping 101: What to save (and for how long), what to toss and what to shred
- Best ways to establish and maintain employee confidentiality
- The essentials of employee coaching, counseling and discipline
- Critical legal info about hiring and firing

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**100% Satisfaction Guarantee!**


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**St. Louis, MO - Apr. 8**

Event #138240

Crowne Plaza Hotel Downtown  
200 North 4th Street

**St. Charles, MO - Apr. 24**

Event #138237

St. Charles Convention Center  
One Convention Center Plz

**Cape Girardeau, MO - Apr. 23**

Event #138236

Drury Lodge  
104 S Vantage  
P.O. Box 910

One day, 9 a.m. to 4 p.m.

**\$149**

(includes course book)

**Group Discount:**

\$139 per person for groups  
of 5 or more

*Presented by:*

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03-06-2013 8:04

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A One-Day Seminar

# *How to Deal with* **Unacceptable Employee Behavior**

**Effective Management Techniques that Result in Positive Performance**

**You know who we're talking about ...**

They're lurking in every workplace ... those problem employees who tax even the best managers. And wherever they are, you can be sure they're costing the organization plenty — in lowered morale, lost opportunities and decreased productivity.

**Are you doing the best you can to ...**

- **Communicate exactly what you expect from others?**  
Learn how to make "crystal clear" what you expect in productivity, performance and behavior — no excuses!
- **Spot problems brewing before they blow up?**  
Find out how to recognize the red flags that foreshadow serious problems!
- **Counsel employees through temporary rough spots?**  
Techniques to ensure fleeting problems don't develop into chronic ones!
- **Shield your good employees from the negative effects of unacceptable employee behavior?**  
Take steps to ensure an "attitude epidemic" doesn't develop in your workgroup!
- **Protect yourself and your organization from legal hassles?**  
Implement current discipline and termination processes that are fair, safe and legally airtight.
- **Bring out the best in every person you manage?**  
Discover surprising ideas that can improve even the most hopeless cases, and build your reputation as a manager who can handle anyone!

**Don't let it go on even one more day ...**

... without resolving to confront it — assertively and effectively! From the first approach to the last resort, you'll equip yourself with the skills and knowledge you need to stop the negative effects of problem performers, bad attitudes and unacceptable behaviors. Don't waste another day — enroll today!

**100% Satisfaction Guarantee!**

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VIP# 60 003 059 897 60

ID#  
596767

## **COMING TO YOUR AREA:**

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**St. Louis, MO - Apr. 3**  
Event #138218  
Hilton St. Louis At The Ballpark  
One South Broadway

One day, 9 a.m. to 4 p.m.

**\$149**

(includes course book)

**Group Discount:**

\$139 per person for groups  
of 5 or more

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02-21-2013 8:12

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# Business Writing For Results

A One-Day Seminar

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ID#  
 596106

## *How to write powerful EMAILS, LETTERS, REPORTS and PROPOSALS that get results*

If you've always told yourself — and others — that you just don't have a gift for writing, it's time to dispel that notion!

### Effective writing is an essential career tool

You *can* produce clear, sharp, effective copy — it's just a matter of learning a basic set of writing skills. Attend *Business Writing for Results* and you'll learn, step-by-step, how to shape your thoughts and organize your words. Forget about stuffy grammatical rules that are complicated and hard to remember. This seminar focuses on day-to-day writing, bringing you up to speed with skills that will be useful to you every day for the rest of your life.

### See immediate improvement in every writing project!

- No more missed deadlines! Learn professional techniques to help you overcome writer's block and complete every writing project faster and easier.
- Get support and approval for your ideas with proposals, emails and memos that inform and persuade your reader.
- Use surefire tips for tough writing assignments — bad news memos, complaint letters, memos to top management and more.
- Discover professional writing strategies to help you tackle even the most complex writing projects with ease.
- Stop wasting time following up your letters and emails — learn powerful writing techniques for getting action, reaction and results.

Don't wait to learn the secrets of turning out snappy letters, maximum-effect memos and perfect proposals ... *enroll today!*

100% Satisfaction Guarantee!

### ► Enroll today at [www.pryor.com](http://www.pryor.com)

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## COMING TO YOUR AREA:

Visit [www.pryor.com](http://www.pryor.com) for a full schedule.

St. Louis, MO - Mar. 21

Event #136837  
 Crowne Plaza Hotel Downtown  
 200 North 4th Street

One day, 9 a.m. to 4 p.m.

**\$179**

(includes course book)

### Group Discount:

\$169 per person for groups of 5 or more

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VIP# 60 003 059 897 60

ID#  
596387

A One-Day Seminar

# A Crash Course for the First-Time Manager or Supervisor



**Effectively communicate, delegate and manage priorities  
to achieve management success**

In your previous position you did a great job. Yet, you're smart enough to know the skills that made you a great team player won't necessarily make you a great supervisor. For any new supervisor, training is key to success in this role.

Before you delegate your first job ... schedule your first meeting ... make your first move of any kind — get this training under your belt!

You'll discover how to:

- Produce concrete, positive results right away
- Help your team members become top performers and stay motivated
- Build confidence, project authority and gain cooperation from your staff
- Avoid the problems that sabotage many new supervisors

Plus, you'll learn these essential skills:

- How to get off to a good start — 7 guidelines to help you earn respect right away
- 4 necessary steps for reducing your staff members' resistance to change
- How to delegate work and ensure it's done right — without meddling
- The one key quality you can develop that determines your influence with others

Help make your move into management smoother and more successful

You'll use what you learn right away. If a tough people problem comes up, you'll know how to handle it. When you're faced with a crisis, you'll react with confidence. You'll be better equipped to keep your team motivated, productive and on target.

*You earned your supervisory position ... this seminar will help you make the most of it!*

100% Satisfaction Guaranteed

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St. Louis, MO - Mar. 13  
Event #136864  
Crowne Plaza Hotel Downtown  
200 North 4th Street

St. Charles, MO - Mar. 26  
Event #136853  
St. Charles Convention Center  
One Convention Center Plz

Effingham, IL - Mar. 14  
Event #136865  
Comfort Suites  
1310 W Fayette Rd

Springfield, IL - Mar. 15  
Event #136866  
Hilton Garden Inn  
3100 South Dirksen Pkwy.

One day, 9 a.m. to 4 p.m.

**\$199**

(includes course book)

Group Discount:

\$189 per person for groups  
of 5 or more

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IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
ST CLAIR COUNTY, ILLINOIS

INITIAL MANDATORY STATUS CONFERENCE SETTING ASSIGNMENT

WARMA VS PARK UNIVERSITY

13-L-0423

TO: PARK UNIVERSITY ENTERPRISES INC  
C/O DORLA WATKINS REG AGENT  
8700 RIVER PARK DRIVE  
PARKVILLE, MO 64152

FILED  
ST. CLAIR COUNTY

SEP 17 2013

48

*Kathleen A. Clay*  
CIRCUIT CLERK

Date : 11/12/2013

Time : 9:30 AM

Room : 401

The above-styled case is assigned to: HON. ROBERT P. LECHIEN.

Counsel familiar with the case and authorized to act is ordered to appear for an Initial Mandatory Status Conference on the above date, time and courtroom pursuant to Local Rule 6.06, and Supreme Court Rule 218.

At the aforesaid conference the following shall be considered:

1. Service upon all of the parties;
2. Whether the case will be jury or no-jury;
3. The nature, issues, and complexity of the case;
4. Simplification of the issues;
5. Amendments and challenges to the pleadings;
6. Admissions of fact and documents;
7. Limitations of discovery, including but not limited to written discovery, depositions, and opinion witnesses;
8. Third parties;
9. Scheduling of settlement conferences;
10. Necessity of subsequent case management conferences;
11. Trial settings.

Office of Chief Judge



CIRCUIT COURT OF THE 20TH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

WARMA, WITTER, KREISLER, GREGOV &  
ASSOCIATES, INC., an Illinois corporation,  
individually and as the representative of a  
class of similarly-situated persons,

Plaintiff,

v

PARK UNIVERSITY ENTERPRISES, INC.  
d/b/a FRED PRYOR SEMINARS and  
CAREERTRACK, and JOHN DOES 1-12,

Defendants.

No

13L423

ST.

COUNTY

Plaintiff, WARMA, WITTER, KREISLER, & INC.

("Plaintiff"), by its attorneys, respectfully moves this Court, ILCS

5/2-801 *et seq.*, to certify the following class:

All persons who were sent one or more telephone facsimile messages on or after four years prior to the filing of this action, that advertised the commercial availability of property, goods, or services offered by Park University Enterprises, Inc., Fred Pryor Seminars, or Careertrack, that did not contain an opt-out notice that complied with federal law.

Plaintiff files this motion for class certification at the same time it filed its Class Action Complaint for the reasons discussed in *Barber v. American Airlines, Inc.*, 241 Ill. 2d 450, 456-57, 948 N.E.2d 1042, 1045 (2011). Plaintiff is not prepared to file a memorandum in support of this motion as it still must pursue class certification discovery. As a result, Plaintiff requests leave to submit a brief and

other evidence in support of this motion after discovery as to class certification is complete.

WHEREFORE, Plaintiff prays that this Court enter an order pursuant to 735 ILCS 5/2-801 certifying the class.

Respectfully submitted,

WARMA, WITTER, KREISLER,  
GREGOV & ASSOCIATES, INC., an  
Illinois corporation, individually and  
as the representative of a class of  
similarly-situated persons,

By:  
of

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Phillip J. Bullimore  
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